

# United States District Court

WESTERN DISTRICT OF WASHINGTON

LUCIANO TONELLI

JUDGMENT IN A CIVIL CASE

v.

BRIAN McGARVIE; and JAMES  
MASON

CASE NUMBER: C08-5190BHS

\_\_\_\_ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

XX **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

The Court adopts the Report and Recommendation; and

This action is **DISMISSED WITH PREJUDICE** for failure to state a claim. This dismissal counts as a strike pursuant to the 28 U.S.C. 1915(g).

July 10, 2008  
Date

BRUCE RIFKIN  
Clerk

s/CM Gonzalez  
Deputy Clerk